

## **REMARKS**

### **Claim Rejections**

Claim 2 is provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 3 of co-pending patent number 10/833,097. Claims 1-7 are rejected under 35 U.S.C. § 112, second paragraph. Claims 11-14 are rejected under 35 U.S.C. § 112, first paragraph. Claim 13 is rejected under 35 U.S.C. § 112, second paragraph.

### **Amendments to Specification**

Applicant has amended the Specification as noted above to cure obvious grammatical and idiomatic inaccuracies. It is believed that the foregoing amendments to the Specification overcome the outstanding objections thereto. No "new matter" has been added to the original disclosure by the foregoing amendments to the Specification.

### **Abstract of the Disclosure**

Applicant is submitting a substitute Abstract of the Disclosure for that originally filed with this application to more clearly describe the claimed invention. Entry of the Substitute Abstract of the Disclosure is respectfully requested.

### **Drawings**

Applicant proposes to amend Figure 5, as illustrated in red on the attached photocopies. In Figure 5 it is proposed to correct the spelling of "Smear" and "Standard". No "new matter" has been added to the original disclosure by the proposed amendments to these figures. It is believed the foregoing proposed amendments obviate the outstanding objections to the drawings. Approval of the proposed drawing changes is respectfully requested.

### **Double Patenting**

To overcome the outstanding provisional rejection under the judicially created doctrine of obviousness-type double patenting, following issuance of a patent for one of the present invention and copending Application No.

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29/200,803, Applicant hereby agrees to file a terminal disclaimer for the remaining unpatented application.

### **New Claims**

By this Amendment, Applicant has amended claims 1, 2, 5, 11-15, and, 18-20 of this application. It is believed that the new claims specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112.

It is submitted that the claimed subject matter is described in Applicant's specification in sufficient detail to enable one having ordinary skill in the art to make and use Applicant's invention without undue experimentation. It is believed that Applicant's specification discloses how to make and use the claimed invention.

It is noted that there were no prior art rejections against Applicant's original claims 1-20.

### **Summary**

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

Date: August 2, 2005

By:

  
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**IN THE DRAWINGS:**

Please amend Fig. 5 as illustrated in red on the attached photocopy. In Figure 5 it is proposed to correct the spelling of "Smear" and "Standard".